



**MINUTES
CITY COUNCIL MEETING
City Hall – Bel Aire, Kansas
April 7, 2020 7:00 P.M.**



I. CALL TO ORDER: Mayor Jim Benage called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present were Jeff Elshoff and John Welch.

Present via video conference were Dr. Joel Schroeder and Justin Smith. Diane Wynn joined the meeting later, via video conference.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly and City Clerk Melissa Krehbiel.

III. Consideration of a motion to suspend all City policies and rules of order related to requiring a majority of members of the body to be *physically present* for quorum through the duration of any COVID -19 “stay home” order lawfully imposed by the State Governor or the Sedgwick County Health Officer.

MOTION: Council Member Smith moved to suspend all City policies and rules of order related to requiring a majority of members of the body to be *physically present* for quorum through the duration of any COVID -19 “stay home” order lawfully imposed by the State Governor or the Sedgwick County Health Officer. Through the duration of this suspension, quorum shall be satisfied by a majority of members of the Governing Body being physically present, present via an online platform, present via voice phone call or any combination thereof. Council Member Welch seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- absent

Motion carried 4-0, with Council Member Wynn absent at the time of the vote.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. OPEN PRAYER – Dr. Joel Schroeder provided the opening prayer.

VI. DETERMINE AGENDA ADDITIONS – There were no additions.

VII. CONSENT AGENDA

A. Minutes of the March 17, 2020 City Council Meeting.

MOTION: Council Member Welch moved to approve the consent agenda as listed and authorize the Mayor to sign. Council Member Smith seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye Diane Wynn- absent

Motion carried 4-0, with Council Member Wynn absent at the time of the vote.

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance 20-06 in the amount of \$378,297.14.

MOTION: Council Member Smith moved to approve Appropriations Ordinance 20-06. Council Member Elshoff seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye Diane Wynn- absent

Motion carried 4-0, with Council Member Wynn absent at the time of the vote.

IX. CITY REQUESTED APPEARANCES: None

X. Consideration of a motion to suspend all City policies and rules of order related to public comment through the duration of any COVID -19 “stay home” order lawfully imposed by the State Governor or the Sedgwick County Health Officer.

MOTION: Council Member Welch moved to suspend all City policies and rules of order related to public comment through the duration of any “stay home” order lawfully imposed by the State Governor or the Sedgwick County Health Officer. Though the duration of the suspension public comment shall be sent by email to the City Clerk at least 2 hours before a City Council meeting, received via US mail to City Hall on or before the day of a City Council meeting, or via other online platform such as YouTube designated and provided on the City’s website, by the City Clerk explicitly for public comment during the meeting. The City clerk shall read comments for a period of time not to exceed 15 minutes during

the Citizens Concerns segment of Council Meetings. Council Member Smith seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye
Justin Smith – Aye

Dr. Joel Schroeder- Aye
John Welch – Aye

Diane Wynn- absent

Motion carried 4-0, with Council Member Wynn absent at the time of the vote.

XI. CITIZEN CONCERNS: None.

XII. REPORTS

A. Council Member Reports

Council Member Elshoff reported on the March 26 meeting of the Chisholm Creek Utility Authority (CCUA). At that meeting, a presentation was given by the firm that has been contracted to design the new waste water treatment plant.

Council Member Smith thanked City staff for setting up the technology necessary for live-streaming and virtual meeting attendance.

Council Member Welch reminded citizens to not hoard goods and only buy what they need.

B. Mayor's Report

Mayor Benage urged citizens to stay at home and follow health and safety guidelines such as wearing a cloth mask in public and proper hand washing.

C. City Attorney Report

City Attorney Kelly reported that newspapers left in driveways or in gutters could become a code enforcement issue for the homeowner. She reminded homeowners to pick up newspapers, and if they do not wish to receive a newspaper or advertisement, they should call the publisher to be taken off the distribution list.

D. City Manager Report

City Manager Lasher reminded the public that City staff are still working during the Stay Home order. City buildings are closed to the public, but City staff can still be reached by phone, email, and the City's website.

Council Member Diane Wynn then joined the meeting via video conference.

XIII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of an Intergovernmental Service Agreement with Park City for mutual assistance of building and related inspection personnel.

MOTION: Council Member Smith moved to approve the Intergovernmental Services Agreement with Park City and authorize the Mayor to sign. Council Member Schroeder seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

B. Consideration of proposal for 53rd Street Lift Station wet well rehab. Two quotes were received:

Mayer Specialty Services	\$37,100.00
Utility Maintenance Contractors	\$27,850.00

MOTION: Council Member Smith moved to approve the proposal from Utility Maintenance Contractors for wet well rehab of the 53rd Street lift station at a cost of \$27,850.00 and authorize the Mayor to sign. Council Member Schroeder seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

C. Consideration of a Development Agreement for the Bristol Hollows Addition between the City of Bel Aire and 3F2R Holdings, LLC.

MOTION: Council Member Elshoff moved to approve the Development Agreement with 3F2R Holdings, LLC and authorize the Mayor to sign. Council Member Welch seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

D. Consideration of a Respread Agreement between the City of Bel Aire and 3F2R Holdings, LLC for drainage and Sewer improvements in Chapel Landing, replated as Bristol Hollows.

MOTION: Council Member Elshoff moved to approve the Respread Agreement with 3F2R Holdings, LLC for certain lots in Chapel Landing / Bristol Hollows and authorize the Mayor to sign. Council Member Smith seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

E. Consideration of accepting Storm Water, Sanitary Sewer Mains, Water Mains and Paving petitions for Phase 1 of the Bristol Hollows Addition.

MOTION: Council Member Smith moved to accept the Paving, Sewer, Water and Storm Water petitions for Phase 1 the Bristol Hollows Addition. Council Member Elshoff seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

F. A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Drainage Improvements/Bristol Hollows Addition - Phase I).

MOTION: Council Member Schroeder moved to approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Drainage Improvements/Bristol Hollows Addition - Phase I) and authorize the Mayor to sign. Council Member Smith seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

G. A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Bristol Hollows Addition - Phase I).

MOTION: Council Member Elshoff moved to approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Bristol Hollows Addition - Phase I) and authorize the Mayor to sign. Council Member Welch seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

H. A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/Bristol Hollows Addition - Phase I).

MOTION: Council Member Welch moved to approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/Bristol Hollows Addition - Phase I) and authorize the Mayor to sign. Council Member Elshoff seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye

Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

I. A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Water Main Improvements/Bristol Hollows Addition - Phase I).

MOTION: Council Member Smith moved to approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Water Main Improvements/Bristol Hollows Addition - Phase I) and authorize the Mayor to sign. Council Member Wynn seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye
Justin Smith – Aye

Dr. Joel Schroeder- Aye
John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

J. Consideration of a Marketing and Sales Agreement with NAI Martens for land owned by the Bel Aire Land Bank and Bel Aire Public Building Commission.

MOTION: Council Member Smith moved to approve the Marketing and Sales Agreement with NAI Martens as (presented / amended) and authorize the Mayor to sign. Council Member Schroeder seconded the motion. Discussion followed.

MOTION: Council Member Smith amended his motion to approve the Marketing and Sales Agreement with NAI Martens with the items in red in paragraph 2 removed and adding items in red in paragraphs 5 and 9, and authorize the Mayor to sign. Council Member Schroeder seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye
Justin Smith – Aye

Dr. Joel Schroeder- Aye
John Welch – Aye

Diane Wynn- abstained

Motion carried 4-0-1, with Council Member Wynn abstaining.

K. Consideration of a Marketing and Sales Agreement with Reece Nichols for 18 lots in Elk Creek owned by the Bel Aire Land Bank.

MOTION: Council Member Elshoff moved to approve the Marketing and Sales Agreement with Reece Nichols as presented and authorize the Mayor to sign. Council Member Schroeder seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye
Justin Smith – Aye

Dr. Joel Schroeder- Aye
John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

XIV. EXECUTIVE SESSION- No Executive Session was held.

XV. DISCUSSION AND FUTURE ISSUES

- Council Workshop – April 14th @ 6:30 pm?

The council briefly discussed the agenda for the council workshop. There was consensus that Council Members would attend virtually, using an online platform like Go-To-Meeting. Workshops and meetings will continue to be live-streamed on YouTube, and live-broadcast and re-broadcast on Cable Channel 7. Staff will work out technical details before the workshop.

XVI. ADJOURNMENT

MOTION: Council Member Welch moved to adjourn. Council Member Elshoff seconded the motion.

Roll Call Vote:

Jeff Elshoff – Aye

Dr. Joel Schroeder- Aye


Justin Smith – Aye

John Welch – Aye

Diane Wynn- Aye

Motion carried 5-0.

Approved by the City Council this 21st day of April, 2020.


Jim Benage, Mayor

ATTEST:


Melissa Krehbiel, City Clerk

